



7-14-04

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Practitioner's Docket No. 60686 CIP (46865)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ In re application of: Rosenquist, et al.

Serial No.: 10/730,070

Examiner: Not yet assigned

Filed: December 9, 2003

Group No.: 1648

For: SANDWICH ASSAYS FOR COLLAGEN FRAGMENTS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

NOTE: 37 CFR 3.73(b) states: AWhen an assignee seeks to take action in a matter before the Office with respect to a patent application, ..., patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the

CERTIFICATION UNDER 37 C.F.R. 3.101(a) and 3.101(b)

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I hereby certify that, on the date shown below, this correspondence is being:

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37 C.F.R. § 1.8(a)

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Donna R. Davis  
(type or print name of person certifying)

Date: July 12, 2004

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(Statement under 37 C.F.R. § 3.73(b) Establishing Right of Assignee to Take Action page 1 of 4)

EV438992006US



of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.≡

NOTE: ASection 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to §§ 1.4(d) and 10.18.≡ Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

### IDENTIFICATION OF ASSIGNEE

2. Osteometer Biotech A/S

Name of assignee

Corporation

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

**PERSON AUTHORIZED TO SIGN**

3. PER QVIST

(type name of person authorized to sign on behalf of assignee)

VICE PRESIDENT

Title of person authorized to sign

NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:

AThe statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).

A(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.

A(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required.≡

(complete the following, if applicable)

☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.



### BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO on \_\_\_\_\_  
Reel \_\_\_\_\_, Frame \_\_\_\_\_

2. ☐ Other:

### AND/OR

B.

☒ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: Christian Rosenquist, Per Qvist, Stephan Christgau  
Name of inventor(s)

To: Osteometer Biotech A/S

☐ Recorded in PTO on \_\_\_\_\_ at Reel \_\_\_\_\_ Frame \_\_\_\_\_

☒ Recorded herewith

2. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_

Recorded in PTO on \_\_\_\_\_ at Reel \_\_\_\_\_ and Frame \_\_\_\_\_

3. From: \_\_\_\_\_  
Name of inventor(s) or assignee

To: \_\_\_\_\_

Recorded in PTO: Reel \_\_\_\_\_ Frame \_\_\_\_\_



(check item below, and add details, if applicable)

[ ] Additional documents in the chain of title are listed in the attached Supplemental Sheet.

Signature of authorized person

PER QUIST

(type or print name of authorized person)

VICE PRESIDENT

Title of authorized person

SIGNATURE OF PRACTITIONER

Robert L. Buchanan (Reg. No. 40,927)

(type or print name of practitioner)

Edwards & Angell, LLP

P.O. Box 55874

P.O. Address

Tel. No.: (617) 439-4444

Customer No.: 21874

#433623

Boston, MA 02205